IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

SONIA FORTNER, CATHY GARCIA,	§	
GRACIELA GRANDA, SANDRA	§	
MARESCA, MARIA PUERTO, and	§	
JOHANA QUIJANO, Individually and On	§	
Behalf of All Others Similarly Situated,	§	C.A. NO. 4:09-cy-02651
	§	C.A. NO. 4:09-CV-02051
Plaintiffs,	§	
	§	JURY TRIAL DEMANDED
v.	§	JUNI INIAL DEMANDED
	§	
BANK OF AMERICA, N.A.,	§	
	§	
Defendant.	§	

ORDER DENYING DEFENDANT'S MOTION FOR A STAY OF ALL PROCEEDINGS AND GRANTING PLAINTIFFS' MOTION FOR AN EQUITABLE TOLL OF THE STATUTE OF LIMITATIONS

ON THIS DAY, the Court considered Defendant's Motion For a Stay of All Proceedings and Plaintiffs' Motion for an Equitable Toll of the Statute of Limitations. After considering the briefs, the record, the applicable law and the arguments of counsel, if any, the Court is of the opinion that Defendant's Motion For a Stay of All Proceedings should be DENIED and Plaintiff's Motion for an Equitable Toll of the Statute of Limitations should be GRANTED.

WHEREFORE IT IS ORDERED, ADJUDGED, and DECREED that

- 1. Defendant's Motion For a Stay of All Proceedings is hereby DENIED; and
- 2. the statute of limitations for all named Plaintiffs and for any individual who has filed a consent under 29 U.S.C. § 216(b) is tolled as of October 19, 2009. This toll shall extend not only to all Plaintiffs who have already filed opt-in/consent forms but also to those putative Plaintiffs who may file opt-in/consent forms after receiving notification of the pendency of this lawsuit and their right to participate.

The Court further ORDERS Defendants to preserve and protect all documents, data compilations (including electronically recorded or stored data), and tangible objects that are in

their custody or control, including the custody	or control of their agei	nts and subagents, and that		
are relevant to the claims and defenses of the pa	rties in this lawsuit.			
SIGNED at Houston, Texas this	day of	, 20		
	U.S. DISTRICT J	U.S. DISTRICT JUDGE		